

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR  
SYSTEMS PRODUCTS LIABILITY  
LITIGATION

Master File No. 2:12-MD-02327  
MDL 2327

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ETHICON NON-REVISION PTO 298  
(ELECTION WAVE) CASES LISTED IN  
EXHIBIT A

JOSEPH R. GOODWIN  
U.S. DISTRICT JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT MOTION OF  
MARC TOGLIA, M.D. FOR NON-REVISION PTO 298 (ELECTION WAVE)**

Comes now, the Plaintiffs, and hereby adopt and incorporate by reference the Daubert motion and memorandum filed in relation Marc Toglia for Ethicon Wave 1, Dkt. 2023 (motion), 2028 (memorandum in support); and reply briefs filed in Ethicon Waves 1 and 3, Dkts. 2231, 2993 (reply briefs). Plaintiffs respectfully request that the Court exclude Marc Toglia's testimony, for the reasons expressed in the Wave 1 and 3 briefing. This notice applies to the following Non-Revision PTO 298 (Election Wave) cases identified in Exhibit A attached hereto.

Dated: December 14, 2018

Respectfully submitted,

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## EXHIBIT A

Buchman, Debra	2:14-cv-00750
Busch, Lola M.	2:13-cv-26727
Dupont, Catherine	2:12-cv-07490
Fahnestock, Martha	2:15-cv-05019
Houseknecht, Debra	2:17-cv-01124

**CERTIFICATE OF SERVICE**

I hereby certify that on December 14, 2018, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

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